

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 09-239 (JRT/FLN)

Plaintiff,

v.

ORDER

BILLY RAY WILEY,

Defendant.

Tricia Tingle, Assistant United States Attorneys, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for plaintiff.

Derk Schwieger, **DERK KARL SCHWIEGER, LLC**, 7800 Metro Parkway, Suite 220, Bloomington, MN 55425, for defendant.

This matter is before the Court upon the defendant's motion to exclude time from the date of this order through July 15, 2010 from the Speedy Trial Act computations in this case [Docket No. 65]. Pursuant to 18 U.S.C. § 3161(h)(8)(A), the Court finds that the ends of justice served by the granting of such continuance outweigh the best interest of the public and the defendant in a speedy trial. This finding is based on the facts set forth in the defendant's motion.

Accordingly, **IT IS HEREBY ORDERED** that the period from the date of this order through the date in which trial begins shall be excluded from the Speedy Trial Act computations in this case pursuant to 18 U.S.C. § 3161(h)(8)(A).

IT IS FURTHER ORDERED that the trial in this case is now continued to

Monday, July 26, 2010 at 9:00 a.m. before the Honorable John R. Tunheim. The trial will be held in Courtroom 13E at the United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415.

Dated: May 24, 2010
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge